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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,065	03/31/2004	Futoshi Kobayashi	CFA00073US	8901

7590 09/27/2006  
Canon U.S.A. Inc.  
Intellectual Property Department  
15975 Alton Parkway  
Irvine, CA 92618-3731

EXAMINER
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THOMAS, BRANDI N

ART UNIT	PAPER NUMBER
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2873

DATE MAILED: 09/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/816,065	Applicant(s) KOBAYASHI, FUTOSHI	
	Examiner Brandi N. Thomas	Art Unit 2873	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)                |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____   |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application      |
| Paper No(s)/Mail Date <u>9/9/05</u> .  | 6) <input checked="" type="checkbox"/> Other: <u>Detailed Action</u> . |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

2. Acknowledgement is made of receipt of Information Disclosure Statement(s) (PTO-1449) filed 9/9/05. An initialed copy is attached to this Office Action.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

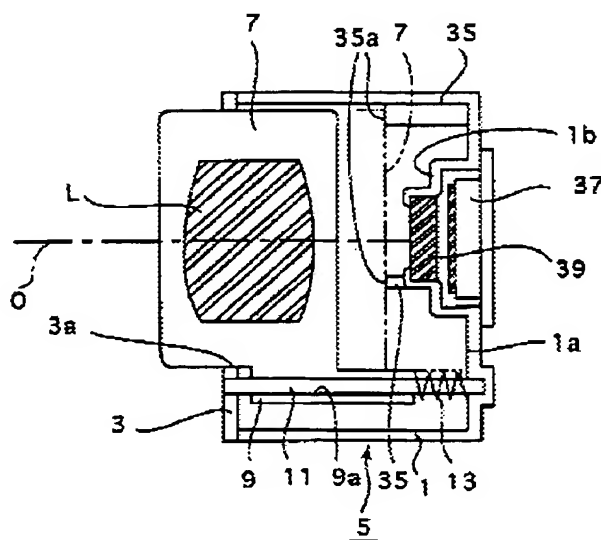
4. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Ichinokawa (6599035 B2).

Regarding claims 1 and 4, Ichinokawa, discloses in figures 1-3, an imaging system (100) (col. col. 3, lines 11-14) comprising: an image picking-up unit (37) for producing a signal by receiving light from an object (col. 4, lines 66-67 and col. 5, lines 1-3 and 9-11); a retaining unit (1a) for retaining the image picking-up unit (37) (col. 4, lines 66-67 and col. 5, line 1); a first retaining unit (1a) for retaining the image picking-up unit (37) (col. 4, lines 66-67 and col. 5, line 1); and an optical unit (1) for focusing an object image on the image picking-up unit (37)

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(col. 3, lines 23-25), the optical unit (1) comprising: a movable group (L) (col. 3, lines 18-20); a second retaining unit (7) for retaining a lens unit (L) (col. 3, lines 18-20, col. 4, lines 61-67, and col. 5, lines 1-6); a supporting unit (7, second retaining unit supports the lens unit, L) for movably supporting the second retaining unit (7) (col. 3, lines 18-20); and a driving unit (23) for driving the second retaining unit (7) (col. 5, lines 25-29), wherein the optical unit (1) is transitional between a first mode for shooting and a second mode for non-shooting (col. 3, lines 64-66), and the supporting unit (7) and the driving unit (23) are located within a cylinder for substantially containing a tilting unit to dispose about an optical axis as a center while are arranged so as to move together with the movable group (7) and to avoid the image picking-up unit (37) and the retaining unit (1a) viewed from the optical axial direction (col. 3, lines 17-22 and 34-36 and col. 5, lines 54-62).

Fig. 2



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Regarding claim 2, Ichinokawa, discloses in figures 1-3, an imaging system (100) (col. 3, lines 11-14), wherein the first retaining unit (1a) comprises the tilting unit for tilting an imaging surface of the image picking-up unit (37) relative to surface perpendicular to the optical axis (O) (col. 4, line 67 and col. 5, lines 1-6).

Regarding claim 3, Ichinokawa, discloses in figures 1-3, an imaging system (100) (col. 3, lines 11-14), further comprising a detecting unit (35) for detecting that the second retaining unit (7) is located at a predetermined position (col. 4, lines 58-62), wherein the detecting unit (35) is located within a cylinder for containing the tilting unit disposed about the optical axis (O) as a center while is arranged so as to move together with the movable group (7) and to avoid the image picking-up unit (37) and the tilting unit viewed from the optical axial direction (col. 3, lines 17-22 and 34-36 and col. 5, lines 54-62).

Regarding claim 5, Ichinokawa, discloses in figures 1-3, an imaging system (100) (col. 3, lines 11-14), further comprising a correcting unit (9) for correcting the inclination of the image picking-up unit (37) (col. 3, lines 35-37 and 46-50), wherein in the second mode, the supporting unit (7) is located in the optical unit (1) so as to avoid the image picking-up unit (37) and the correcting unit (9) viewed from the optical axial direction (col. 3, lines 60-67).

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandi N. Thomas whose telephone number is 571-272-2341. The examiner can normally be reached on 7- 4:30.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Mack can be reached on 571-272-2333. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



BNT



**ALICIA M. HARRINGTON**  
**PRIMARY EXAMINER**